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Agenda item 164
Measures to eliminate international terrorism

Security Council
Fifty-fifth year

Letter dated 22 November 2000 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

At approximately 5.20 p.m. local time, at the peak of rush hour, a car bomb was detonated near a local bus on one of Hadera's main streets. The powerful explosion ripped through the bus and caused extensive damage to a number of shops nearby. Two Israeli civilians were killed in the attack and over 41 were wounded. This attack, the latest in an escalating series of bombings that have targeted Israeli citizens, comes just two days after the bombing of an Israeli school bus, an attack which claimed two lives and critically wounded several young children.

The Government of Israel holds the Palestinian Authority fully responsible for these attacks. The Palestinian leadership, which for weeks has incited their people to violence, and has released scores of terrorist prisoners convicted of perpetrating terrorist attacks against Israelis, has, in both word and deed, given a clear signal to extremist elements to carry out violent attacks aimed at claiming Israeli lives. Despite Israel's numerous warnings, the Palestinian Authority has failed to take the necessary actions that could have prevented these attacks.

The international community must bring its influence to bear on Chairman Arafat, and urge him to restrain terrorist elements operating in the areas under his control, resume security cooperation with Israel and put an immediate end to violent activities. This latest escalation of Palestinian terrorism gravely imperils our ability to bring about a return to peaceful negotiations.

I should be grateful if you would have the text of this letter circulated as an official document of the General Assembly, under agenda item 164, and of the Security Council.

(*Signed*) **Yehuda Lancry**
Permanent Representative

00-75963 (E) 221100

United Nations A/55/646–S/2000/1115

General Assembly
Security Council

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General Assembly
Fifty-fifth session
Agenda item 64
Question of Cyprus

Security Council
Fifty-fifth year

Letter dated 22 November 2000 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 22 November 2000, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 64, and of the Security Council.

(*Signed*) Ümit **Pamir**
Ambassador
Permanent Representative

00-76086 (E) 281100

Annex to the letter dated 22 November 2000 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to refer to the statements made by representatives of the Greek Cypriot administration to the Third Committee on 10 and 12 October and 2 November 2000, under agenda items 107, "Advancement of women"; 108, "Implementation of the outcome of the Fourth World Conference on Women and of the special session of the General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century'"; 110, "Promotion and protection of the rights of children"; and 114 (b) and (c), "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" and "Human rights situations and reports of special rapporteurs and representatives", respectively. These statements contain unfounded allegations against my country. Since the Greek Cypriot party is exploiting every opportunity to distort facts pertaining to the Cyprus issue in every international forum where the Turkish Cypriot party is denied its lawful representation, I am compelled to respond to these allegations, once again, in writing.

Representatives of the Greek Cypriot administration refer repeatedly to the Turkish Republic of Northern Cyprus as "occupied areas". I wish to emphasize that the only "occupation" in Cyprus is the 37-year-long usurpation and continued occupation of the seat of the "Government of the Republic of Cyprus" by the Greek Cypriot side. The Cyprus question did not come about as a result of the Turkish intervention in 1974, as alleged by the Greek Cypriot side, but was created in 1963 when the Greek Cypriot wing of the Republic of Cyprus usurped, by force of arms, the 1960 binational Republic and occupied the seat of the "government of Cyprus", forcefully ejecting the Turkish Cypriots from all state organs and subjecting them to a brutal ethnic cleansing campaign between 1963 and 1974. The fact that a United Nations peacekeeping force was dispatched to the island in 1964 confirms that the Cyprus question began in 1963.

It should be recalled that the Turkish intervention was carried out in the wake of a coup d'état engineered by Greece and its Greek Cypriot collaborators on the island. The intervention was carried out in accordance with Turkey's rights and obligations under the 1960 Treaty of Guarantee in order to prevent the forcible annexation of the island to Greece and to save the Turkish Cypriot people from total annihilation at the hands of the Greek Cypriots and the invading Greek troops. It will be recalled that the then Greek Cypriot leader Archbishop Makarios, in his address to the Security Council on 19 July 1974, confirmed that it was indeed Greece that had invaded the island in 1974.

The Greek Cypriot representatives have also alleged that the issue of displaced persons in Cyprus began in 1974 as an issue affecting only the Greek Cypriot side. The truth of the matter is that the issue of displaced persons came about when one fourth of the Turkish Cypriot population was rendered homeless between 1963-1974, as a result of the Greek Cypriot onslaught, during which 103 Turkish Cypriot villages were destroyed. Once again in 1974, in consequence of the Greek coup d'état, 65,000 Turkish Cypriots were forced to flee to the North to seek refuge in safer areas.

It should be recalled, in this connection, that the question of displaced persons was settled through the Voluntary Exchange of Populations Agreement reached between the two sides at the third round of talks held at Vienna between 31 July and 2 August 1975. In accordance with this Agreement, which was implemented under supervision of the United Nations Peacekeeping Force in Cyprus (UNFICYP), Turkish Cypriots moved to the North, and Greek Cypriots moved to the South.

On the issue of missing persons, it is ironic that the Greek Cypriot representatives can claim that the Greek Cypriot administration considers this issue "as a purely humanitarian problem whose solution is long due" when it is the same administration which has been abusing and manipulating this humanitarian matter for political propaganda purposes, rendering its solution difficult. The aim of the Greek Cypriot administration is not to determine the fate of the "missing" but to continue the false propaganda they have been generating on this issue for many years. In line with this policy, the Greek Cypriot administration has been deliberately misleading the Greek and Greek Cypriot families of the missing persons, all these years, by having them believe that their loved ones are alive. Such cases have been unfolding one after another in South Cyprus. Recently, the Greek Cypriot press carried the story of the Greek sergeant, Christos Koukoularis, who died in combat on 16 August 1974 and was buried in a mass grave at Lakatamia (South Cyprus) military cemetery about a week later. Despite the fact that this was known to the official Missing Persons Service of the Greek Cypriot administration, it was deliberately kept secret from his family, as was relayed by his brother Petros Koukoularis to the Greek Cypriot daily *Politis* of 25 May 2000:

> "We believed throughout that Christos was alive. After 26 years they tell you that your brother who was a missing person, finally was not a missing person and that he was dead and buried at the cemetery in Lakatamia. The tragedy of our family is fit for the *Guinness Book of Records*. My father died in October 1993 and my mother in August 1996. They died with the grief of my brother. A big game was played here in Greece as well. Many parents believing stories of missing persons having been seen in Turkey, wasted their lives and a lot of money in order to be able to see their sons. My parents too tried to save some money to do the same. To me this was senseless. The revelation (by *Politis*) was like a brick from the sky falling on my head."

The Turkish Cypriot side has consistently stated that the Committee of Missing Persons (CMP) should be allowed to complete its mandate, in accordance with its agreed terms of reference, procedures and suggestions of Your Excellency, contained in your letters addressed to the two parties in 1996. It is the rejection of the above-mentioned criteria by the Greek Cypriot administration that prevents the completion of the mandate of the CMP. The Greek Cypriot side should put an end to the political manipulation of this humanitarian issue at the expense of those who have lost their loved ones on both sides and allow the CMP to resume its work as soon as possible.

With regard to the living conditions of Greek Cypriots and Maronites living in the Turkish Republic of Northern Cyprus, I would like to stress that all Greek Cypriots and Maronites are accorded the same rights and facilities as those enjoyed by other residents, without any discrimination. Their living standards are on a par with those of Turkish Cypriots in the area. As also indicated in the report of the Secretary-General on the United Nations Operation in Cyprus of 26 May 2000

(S/2000/496), all necessary measures have been duly taken by our authorities to further enhance the living standards of the Greek Cypriots and Maronites residing in the Turkish Republic of Northern Cyprus and to ensure their continued well-being. Similarly, the claim that Greek Cypriot children living in the Turkish Republic of Northern Cyprus "are deprived from secondary education" is completely baseless. The Turkish Republic of Northern Cyprus provides free elementary and secondary education to all its citizens, including the Greek Cypriot and Maronite children resident in Northern Cyprus. Greek Cypriots who have their school in the Karpaz area are taught by Greek Cypriot teachers with the same text books as Greek Cypriot schools in South Cyprus.

On the other hand, the dismal living conditions of the Turkish Cypriots currently residing in South Cyprus remains to be a great cause of concern for the Turkish Republic of Northern Cyprus. Over the years, illegal detention, torture and forcible expulsion of Turkish Cypriots in South Cyprus has become an administrative practice of the Greek Cypriot regime. They continue to be faced with inhuman social, economic and racial discrimination, and their freedom of movement is restricted by the Greek Cypriot police for surveillance purposes.

Allegations regarding the "destruction and plundering of cultural heritage" in Northern Cyprus have been conclusively refuted not only by the Turkish Cypriot side but also by independent sources, including the relevant Committee of the Parliamentary Assembly of the Council of Europe. Mr. van der Werff, General Rapporteur of the Subcommittee on the Architectural and Artistic Heritage of the Committee on Culture and Education of the Council of Europe, who had come to the island with a delegation of experts to study the situation regarding cultural property in both North and South, in paragraph 5.3 of his report, which was published as a document of the Council of Europe on 2 July 1989 (AS/CULT/AA (41)1), stated: "We saw no churches destroyed, though St. George in Limnia (in the North) was listed as such." More recently, a Council of Europe Rapporteur on Cultural Heritage, Mrs. Vlasta Stepova, who visited both sides of the island in November 2000, also confirmed that there was no "vandalism of cultural monuments" in the Turkish Republic of Northern Cyprus.

It is, in fact, the Greek Cypriot side which has been trying since 1963 to eradicate all traces of the Turkish-Muslim heritage of Cyprus. During 1963-1974, mosques, shrines and other Islamic holy sites in 103 villages across the island were destroyed, including the Grand Mosque in the town of Paphos in South Cyprus. In this connection, paragraph 5.3 of the aforementioned report of the Council of Europe is revealing:

> "We noted with regret the complete destruction of the main mosque in Paphos. The whole area has since been flattened to give way for a widened road junction and a car park. There is no memorial to the existence of the mosque. Below the road a Turkish bath complex remains hidden in rubble and vegetation awaiting restoration. The Turkish Cypriot cemetery by the nearby St. Sophia Mouttalos mosque is dilapidated."

Today, the Greek Cypriot side continues to show utter contempt for what is left of the Turkish-Islamic heritage in South Cyprus where shrines are under threat of disintegration due to total neglect. The existing mosques in South Cyprus such as the historic Bayraktar Mosque, Hala Sultan Tekke Mosque and the Ömeriye Mosque have been the target of bombing and arson attacks over the years.

With regard to the accusations levelled against my country on the alleged "deliberate change of historic names" in North Cyprus, I would like to state that it is absurd to expect the Turkish Cypriot people, who have inhabited the island for centuries, to use, when referring to geographical names, nomenclature other than their mother tongue Turkish. The Turkish Cypriot people have as much right as the Greek Cypriots to refer to geographical names of their homeland in their own language. Such accusations are indicative of the intolerance displayed by the Greek Cypriot side to everything that has Turkish origins and also explain the mindset which is at the root of the Cyprus question. In this context, the allegations pertaining to "alteration of the demographic character of the island" are also totally unfounded. In fact, it was the Greek Cypriot side which attempted to change the demographic character of the island through an ethnic-cleansing campaign during 1963-1974 and the ongoing inhuman embargoes imposed on the Turkish Cypriot people since 1963.

In the above-mentioned statements by Greek Cypriot representatives to the Third Committee, there is a deliberate attempt to portray the Cyprus issue as one of "violation of human rights" by Turkey in order to cover up the responsibility of the Greek Cypriot administration in the violation of the human rights of Turkish Cypriots who have been subjected to massacres as well as inhuman embargoes since 1963. In fact, it is Turkey which saved the Turkish Cypriot people from annihilation at the hands of the Greek Cypriot administration and has tried to alleviate the suffering of the Turkish Cypriot people caused by the inhuman Greek Cypriot embargoes. If the Greek Cypriot administration is truly concerned about human rights in Cyprus, it should first of all apologize for the violation of the inalienable human rights of, and suffering they have caused to, the Turkish Cypriot people for the past four decades; put an end to the inhuman embargoes imposed on Northern Cyprus and concede the sovereign and equal rights of the Turkish Cypriot people.

The Turkish Republic of Northern Cyprus believes that a lasting settlement in Cyprus can be achieved through a new partnership between the two sovereign States in the island. To this end, the Turkish Cypriot party has participated in the process of United Nations-sponsored proximity talks in good faith since December 1999 and has put forward constructive, comprehensive and realistic proposals with a view to preparing the ground for meaningful negotiations leading to a comprehensive settlement. The five rounds of proximity talks have amply shown that the key to reconciliation in the island is the acknowledgement by the Greek Cypriot administration that it does not and is not entitled to represent the Turkish Cypriot people or the whole island and that there are two sovereign States in Cyprus. Unless the Greek Cypriot side adopts this fundamental new approach to the Cyprus issue, the chances of an early settlement will remain slim.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 64, and of the Security Council.

(*Signed*) Aytuğ **Plümer**
Representative
Turkish Republic of Northern Cyprus

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-fifth year

Identical letters dated 24 November 2000 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

On 22 November 2000, soldiers of the Israeli occupying forces once more committed wilful killings against Palestinian civilians. The soldiers at an Israeli army checkpoint near the city of Rafah in the Gaza Strip opened heavy fire at an approaching car, killing all three unarmed civilians in the car. The soldiers also fired at a car behind it, killing one passenger and wounding another. Further, on 23 November 2000, in an Israeli-planned assassination, one person was killed when his car was bombed near the Palestinian city of Nablus.

Moreover, the killing and injuring of Palestinians by the Israeli occupying forces continues. In this regard, and in follow-up to my previous letters to you, dated 29 September to 20 November (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107), since my last letter to you and as of yesterday, 23 November 2000, the Israeli occupying forces have killed 16 more Palestinians, bringing the total number of deaths to 231 Palestinian civilians. (The names of the 16 martyrs are annexed.) During the same period, many other Palestinian civilians were injured, some of whom remain in critical condition.

I would also like to refer to the letter, dated 20 November, by the Israeli Permanent Representative to the United Nations regarding the explosion of a roadside bomb, which was aimed at a bus and which resulted in the death of two Israeli settlers and the wounding of others, including children. That letter repeats the same Israeli nonsense about Palestinian official responsibility for the attack. The Palestinian Authority made it clear that it does not condone such actions and that it definitely has no responsibility in this regard. Children should always be spared the traumas and atrocities of armed conflict. It must be mentioned, however, that the road on which the bombing occurred is under full Israeli security control and, more importantly, it remains the ultimate responsibility of the occupying Power not to

00-76135 (E) 241100

illegally transfer their nationals into the occupied territory in total violation of the Fourth Geneva Convention and the relevant United Nations resolutions.

On Wednesday, 22 November, upon the request of the Arab Group at the United Nations, the Security Council once more considered the extremely dangerous situation in the Occupied Palestinian Territory. We reiterate the call that we have repeatedly made to the Council, including during the Council's most recent debate, to take action in follow-up of the efforts to establish a United Nations Observer Force to be dispatched throughout the territories occupied by Israel since 1967. We believe that the necessary time for ample consultations on the matter has already elapsed and action now is urgently needed, as the situation clearly continues to deteriorate.

I should be grateful if you would arrange to have the text of this letter and its annex distributed as official documents of the tenth emergency special session of the General Assembly and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 24 November 2000 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli security forces in the Occupied Palestinian Territory, including Jerusalem (Monday, 20 November, through Wednesday, 23 November 2000)

Monday, 20 November 2000

1. Ibrahim Ahmed Hassan Othman (16 years old)
2. Hamed Jaber
3. Abdullah Mahmoud Al-Farra

Tuesday, 21 November 2000

1. Hammad Othman Al-Sumeri
2. Mohammed Lutfi Massad
3. Mohammed Suliman Abu Obeid
4. Hussein Mohammed Mustafa Derab'ieh
5. Jasser Taleb Al-Nibititi

Wednesday, 22 November 2000

1. Jamal Abdel Qader Abdel Raziq
2. Awni Ismail Daheir
3. Nael Shehdah Al-Lidawi
4. Sami Nasser Abu Laben
5. Najeeb Mohammed Mahmoud Kishtah
6. Ibrahim Hussein Al-Maqnan (15 years old)

Thursday, 23 November 2000

1. Ibrahim Abdel Karim Bini Odeh
2. Maram Emad Ahmed Hassouna (3 years old)

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Security Council

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Letter dated 23 November 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I should like to inform you of the aggression carried out by Kuwaiti forces against an Iraqi fishing vessel. Details are set forth below:

1. On 8 October 2000 the Coronado-type vessel No. 1537/Basra left port with its crew of Ahmad Yusuf, Badr Ahmad Habib, Hazman Muhammad Salih, Kathim Qasim Ulum and Qasim Ahmad Habib, in order to fish in Iraqi territorial waters at coordinates within 51 N longitude and 46 E latitude.

2. On 10 October 2000 a Kuwaiti naval patrol infiltrated Iraqi territorial waters and arrested the crew of the above-mentioned vessel, which was inside Iraqi territorial waters, near the buoys at Khawr al-Zubayr. The crew members were taken to Kuwaiti territory and imprisoned for three days, during which they were beaten and tortured by the prison authorities, while the vessel and its appurtenances were seized.

3. At 1800 hours on 13 October 2000, the crew members were released and taken in a vehicle to a remote location opposite the Safwan area, where they boarded a Landcruiser-type vehicle and were driven to Zubayr province.

4. On 1 November 2000 the crew informed the headquarters of the Nasr Fishing Company in Faw of what had taken place.

The acts of aggression and piracy committed by the Kuwaiti forces constitute a material violation of Iraqi territorial waters and blatant hostility towards Iraqi citizens who were fishing in Iraqi territorial waters. They are part of a catalogue of daily acts of aggression carried out against Iraq by the Kuwaiti regime, which provides facilities, funding and air bases for the United States and British aircraft that launch brutal daily attacks on Iraqi territory inside the unlawful no-fly zones.

I urge you to intervene with the Kuwaiti regime in order to halt forthwith such acts of aggression, which constitute a violation of the Charter of the United Nations and the provisions of international law. I also affirm the legally established right of the Republic of Iraq to compensation for the damage caused by such hostile acts, in accordance with the principle of international responsibility.

00-76169 (E) 271100 271100

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

United Nations S/2000/1118

Security Council

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27 November 2000
English
Original: Arabic

Letter dated 26 November 2000 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you that on the morning of 26 November 2000, the Israeli enemy fired 90 artillery shells on the Kfar Shuba area and carried out an aerial attack on one of the hills in the same region, firing two missiles. During the course of this Israeli attack, the Lebanese citizen Ahmad Fayiz Hussayn, aged 22 years, sustained injuries to the knee and 50 cattle belonging to Ghassan Abd al-Aal, which were grazing in the Shanuh area between Kfar Shuba and Bastara, were killed.

This Israeli aggression constitutes a violation of Security Council resolution 425 (1978) and of Lebanese sovereignty. The targeting of civilians and their interests in the liberated areas sets a dangerous precedent that threatens security in the area and could have consequences for which Israel would bear sole responsibility.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Selim **Tadmoury**
Ambassador
Permanent Representative

00-76187 (E)

United Nations S/2000/1119

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27 November 2000
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Identical letters dated 26 November 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 26 November 2000 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, in which he conveys the request of the Government of Iraq that you should allocate to the Palestinian people part of the revenue from the memorandum of understanding signed by Iraq and the United Nations on 20 May 1996, in order to support that people in its defence of its land, in accordance with the Charter of the United Nations.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. **Hasan**
Ambassador
Permanent Representative

00-76193 (E) 271100 271100

Annex to the identical letters dated 26 November 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

You have, I am sure, been closely following the events that have been taking place in occupied Palestine, including acts of aggression, liquidation and killing unleashed by the Zionist occupiers upon the long-suffering Palestinian people as it fights for its freedom. Current events in occupied Palestine are, in fact, another manifestation of the oppressive, colonialist Zionist occupation which the Palestinian people has endured for more than 50 years. To date, hundreds of martyrs have fallen as a result of the current Zionist aggression and thousands have been injured. The Zionist occupiers have also imposed a complete economic blockade on the Palestinian people, with the aim of liquidating that people by all manner of oppressive and colonialist means.

The colonialist measures imposed by the Zionist occupiers include curfews and restrictions on the movement of workers between the Palestinian towns, in addition to the destruction by the forces of the Zionist occupation of farms and agricultural lands belonging to Palestinian farmers, the demolition of homes, the uprooting or burning of trees in the fields, the imposition of a tyrannical and oppressive blockade intended to starve the Palestinian people, the cutting off of electricity, which deprives the whole population of vital services, including health services in hospitals treating sick persons and the thousands of casualties resulting from the bombardment and gunfire of the Zionist occupiers and the hordes of settlers, who are continuing to expand the Zionist colonialist occupation of the usurped Palestinian territories.

These criminal Zionist acts against the Palestinian people have aggravated unemployment, depriving hundreds of thousands of Palestinian families of their income and livelihood, and brought poverty to all classes of Palestinian people, denying them the most basic means of subsistence, namely, food and medicine. Such acts amount to the genocide of an entire people that is protected by all the international conventions. They also, and primarily, represent a flagrant violation of all the international human rights instruments and the right to life and are clearly incompatible with the purposes of the Charter of the United Nations and the rules of international law.

The Arabs, throughout their lands, are one nation. Iraq looks upon the Palestinian people as part of the Iraqi people, just as the Iraqi people is part of the Palestinian people and both peoples are an inseparable part of the one Arab nation. In view of the fact that the Palestinian people is, as we have already stated, currently being besieged and exposed to all manner of killing and destruction, Iraq considers that what is happening to the fraternal Palestinian people also affects the Iraqi people. The Government of the Republic of Iraq therefore officially requests you to allocate to the Palestinian people part of the revenue from the memorandum of understanding signed by Iraq and the United Nations on 20 May 1996, in order to support that people in its national position in defence of its land, which is its legitimate right in accordance with the Charter of the United Nations. The Government of Iraq is preparing to this end the measures which it considers necessary and urgent in order to support the fraternal Palestinian people, and awaits

your approval before preparing a list of requirements for the Palestinian people which will be paid for by Iraqi revenue from the memorandum of understanding.

In submitting to you our official request, we hope that you will exert your utmost endeavours to ensure that approval is expeditiously obtained, in view of the unprecedented aggression and criminal acts to which the Palestinian people, as it fights for its freedom, is being subjected at the hands of the Zionist occupiers.

(Signed) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs
of the Republic of Iraq

United Nations S/2000/1120

Security Council

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Letter dated 24 November 2000 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period from 23 September to 22 October 2000.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

00-76265 (E) 271100

Annex

Monthly report to the United Nations on the operations of the Kosovo Force

1. Over the reporting period (23 September-22 October), there were approximately 45,000 troops of the Kosovo Force (KFOR) deployed in theatre, with no major changes in deployments since the last report. On 16 October, Lieutenant General Cabigiosu succeeded Lieutenant General Ortuño as COMKFOR.

Security

2. The situation in Kosovo remained relatively calm and stable over the reporting period. However, there were a number of incidents of harassment and intimidation by Kosovar Albanians against Kosovar Serbs, including a grenade attack from a vehicle in Pasjane (Multinational Brigade (MNB) (East)) on 2 October, which injured five Kosovar Serbs. Following that incident, 300 to 400 Kosovar Serbs held a demonstration in the town. There was no violence and local authorities dispersed the demonstration peacefully. On 11 October, a number of explosive devices and hand grenades were thrown at Kosovar Serb houses in Kosovo Polje (MNB (Centre)) and Kamenica (MNB (East)). On 18 October, two Roma were injured in a grenade attack in Stimlje (MNB (Centre)).

3. Throughout the period, the Zvecan smelter plant near Kosovska Mitrovica (MNB (North)) was the scene of daily demonstrations by Kosovar Serbs protesting against the plant's closure. All the demonstrations were conducted peacefully. On 30 September, the plant was damaged in an arson attack, which resulted in disruption of the electricity supply to the village of Zvecan. While the factory was burning, some 50 to 100 Kosovar Serbs harassed personnel of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR troops at the factory entrance, and an UNMIK vehicle was set on fire. KFOR troops were positioned to respond to any further incident.

4. In the run-up to the local elections in Kosovo on 28 October, there were several cases of political violence and intra-ethnic intimidation directed at members of the Democratic League of Kosovo (LDK). On 23 October, four such incidents were reported in Dokovica (MNB (West)), with grenades or explosives thrown at houses belonging to three separate LDK candidates and an attempt to set fire to a wooden platform at the scene of an LDK rally. There were no injuries.

5. On 19 October, KFOR troops were attacked near Brocna (MNB (North)). Two grenades exploded 200 metres away from their checkpoint and approximately 100 rounds were fired with automatic weapons. The troops were also fired at the following day in a drive-by shooting incident. No casualties were reported.

6. Throughout the period, KFOR troops continued to uncover and confiscate caches of weapons, ammunition and explosives. On 26 September, a house search in the northern part of Kosovo Polje (MNB (Centre)) led to the seizure of an arsenal of small arms, grenades, assorted ammunition, explosives and electronic devices. Two Kosovar Serbs were detained following the operation. On 28 September, during a house search operation in Rudnik and Srbica (MNB (North)), a large number of weapons and ammunition were confiscated and two Kosovar Albanians were arrested. One of the arrested men was subsequently discovered to be a prisoner who had escaped from custody after being arrested for the murder of a KFOR soldier in

March 2000. Both men were turned over to UNMIK and were transferred to the prison in Kosovska Mitrovica.

7. Confiscated weapons continue to be destroyed as part of the commercial destruction programme. Between 20 September and 19 October, KFOR destroyed 418 weapons, including rifles, pistols, anti-tank and air defence weapons.

Illegal border activity

8. KFOR troops continued to provide appropriate control of Kosovo's internal boundaries and external borders, and recognized crossing points. All but two of the recognized crossing points within each MNB into the ground safety zone remain closed. On 14 October, a patrol from MNB (West) stopped a car near the Kosovo/Albania border and discovered 50 AK-47 rifles and 42 AK-47 magazines. The occupants of the car fled. The destination of the weapons is still under investigation.

9. There were continued reports of paramilitary activities being conducted by the "Liberation Army of Presevo, Medvedja and Bujanovac" in and around the ground safety zone.

Security Council resolution 1160 (1998)

10. Although KFOR operations continue to result in weapons seizures, there have been no reported violations of Security Council resolution 1160 (1998).

Cooperation and compliance by the parties

11. Seven incidents of non-compliance by the Kosovo Protection Corps were reported over the period, mainly related to the possession of illegal weapons and ammunition violations.

12. The engagement of the Kosovo Protection Corps in humanitarian work projects increased over the period, with approximately 400 members involved in 36 projects.

13. On 5 October, a high-level meeting of the Joint Implementation Commission was held to review the progress made by the Kosovo Protection Corps since the previous such meeting on 7 July. Overall, considerable progress was judged to have been made over the previous three months, with the Kosovo Protection Corps becoming much more transparent and cooperative in its dealings with KFOR and UNMIK. However, despite the decline in the number of incidents of non-compliance, there were still a sufficient number of occurrences of criminal activity and non-compliance to give KFOR and UNMIK cause for concern.

14. The Army (VJ) and security forces of the Federal Republic of Yugoslavia remain generally compliant with the terms of the military technical agreement and continue to be cooperative in their dealings with KFOR. On 28 September, a joint KFOR/VJ/Serbian Special Police (MUP) reconnaissance team searched a tunnel inside the ground safety zone to ensure that there was no equipment which might violate the terms of the military technical agreement. In the event, the tunnel was empty. In mid-October, as a result of agreements reached at the regular meetings of the Joint Implementation Committee, the Federal Republic of Yugoslavia began to conduct overflights of the city of Novi Pazar, located in the air security zone, to collect photographic data to facilitate planning for the reconstruction of the city.

Cooperation with international organizations

15. KFOR continued to provide regular assistance on request to international organizations and non-governmental organizations throughout Kosovo on a daily basis.

16. On 16 October, KFOR troops supported UNMIK police during "Operation Norfolk" to combat organized crime in the Pristina area. A large quantity of evidence was confiscated during a search of more than 13 locations in the city, and a total of 27 arrests were made, 9 of which related to high-priority cases of serious crime and murder.

17. In the run-up to the 28 October municipal elections in Kosovo, KFOR troops, in coordination with UNMIK, provided selected, planned support to the Organization for Security and Cooperation in Europe, focusing on ensuring freedom of movement.

Return of refugees and displaced persons

18. During September, there were 9,592 organized voluntary returns, mostly Kosovar Albanian. Since 1 January, there have been over 73,000 organized returns, again mostly Kosovar Albanian. Approximately 200,000 Kosovar Serbs and 30,000 to 40,000 members of other ethnic minorities remain displaced within the Federal Republic of Yugoslavia.

Outlook

19. The security situation in the province is expected to remain relatively stable, but tense.

United Nations S/2000/1121

Security Council

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27 November 2000

Original: English

Letter dated 26 November 2000 from the Permanent Representative of Israel to the United Nations addressed to the President of the Security Council

I wish to draw your attention to a grave act of aggression, which was perpetrated today against Israel from the territory of Lebanon. On the morning of Sunday, 26 November 2000, a powerful roadside charge was detonated against an Israeli patrol by terrorists who had infiltrated from Lebanon, killing an Israeli soldier and wounding two others. The attack took place in the region of Mount Dov, almost a kilometre within the Israeli side of the "Blue Line".

This latest attack represents a continuation of the recent drastic and dangerous deterioration along the Lebanon-Israel border. These incidents included, inter alia, the following:

- On 7 October 2000, three Israeli soldiers were abducted from within Israel by terrorists who infiltrated from Lebanon;
- On 20 October 2000, a heavily armed cell was interdicted as it attempted to infiltrate Israel in order to carry out terrorist attacks;
- On 16 November 2000, a high-explosive device was detonated by terrorists originating from Lebanon against a vehicle convoy within Israel.

Israel views these acts of aggression with the utmost gravity and as a gross violation of the Charter of the United Nations, fundamental principles of international law and Security Council resolution 425 (1978) of 19 March 1978, pursuant to which Israel withdrew its forces from Lebanese territory, as confirmed by the Secretary-General (S/2000/590) and subsequently endorsed by the Security Council (S/PRST/2000/21) and referred to in Security Council resolution 1310 (2000).

It should further be recalled that, in confirming Israel's compliance with Security Council resolution 425 (1978), the Secretary-General specifically determined that the area known as "Shaaba" is not Lebanese territory. Consequently, subsequent Lebanese claims against Israel regarding that area, justifying aggressive activity by terrorists emanating from Lebanese territory, is in direct contravention of the aforementioned determination of the Secretary-General.

In the light of this most recent hostile attack against Israel from Lebanese territory and the growing escalation on that border, I wish to recall our letters addressed to you dated 7 October 2000 (S/2000/969) and 19 October 2000

00-76277 (E) 271100

(S/2000/1002), as well as our letters dated 6 July (A/54/936-S/2000/661), 13 July (A/54/939-S/2000/689), 4 August (A/54/957-S/2000/769), 15 August (S/2000/805) and 23 October 2000 (S/2000/1011) addressed to the Secretary-General. Those letters called attention to the continuing Lebanese violations along the line of withdrawal, and to the continued threat which they pose to international peace and security in the region.

Since its withdrawal from Lebanese territory, Israel has repeatedly called upon the Government of Lebanon to fulfil its obligations under international law, and as required in resolution 425 (1978), to restore, with the assistance of the United Nations Interim Force in Lebanon (UNIFIL), its effective control over South Lebanon and ensure that international peace and security are maintained on its side of the border. Despite these pleas, the Government of Lebanon has failed for months to restrain, and has even encouraged, provocative and violent cross-border attacks against Israel. Continued diplomatic attempts, on the part of Israel, to warn that the situation on the northern border could deteriorate have gone unheeded.

In Security Council resolution 1310 (2000), the Council called for the deployment of the United Nations Interim force in Lebanon (UNIFIL) in the area and for the Government of Lebanon to "ensure the return of its effective authority and presence in the south, and in particular to proceed with a significant deployment of the Lebanese armed forces as soon as possible", and to "ensure a calm environment throughout the south" (paras. 6 and 7). Clearly, this must include taking full control over the area in proximity to the fence with Israel and preventing the acts of disorder and violence directed towards Israeli territory.

A continuation of the present situation, with these ongoing acts of aggression by Lebanese terrorists, carries with it a danger of imminent escalation. Consequently, the international community in general, and the Security Council in particular, must demand of Lebanon that it fulfil its responsibilities under resolutions 425 (1978) and 1310 (2000), which entail putting an end to these acts of aggression from Lebanese territory, establishing effective Lebanese authority in the area and acting to bring peace and security to our common border.

I wish to request that the present letter be circulated as a document of the Security Council.

(*Signed*) **Yehuda Lancry**
Permanent Representative of Israel to the United Nations

United Nations S/2000/1122

Security Council

Distr.: General
27 November 2000

Original: English

Letter dated 23 November 2000 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the text of a statement of the Ministry of Foreign Affairs of Georgia dated 17 November 2000 (see annex) in response to the statement made by the official representative of the Ministry of Foreign Affairs of the Russian Federation on 14 November 2000 regarding the introduction of the visa regime with Georgia.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Peter **Chkheidze**
Ambassador
Permanent Representative

00-76271 (E) 271100

Annex to the letter dated 23 November 2000 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

On 9 and 10 November 2000, the negotiations on the introduction of the visa regime between Georgia and Russia were held in Moscow.

During the negotiations the Georgian delegation again stated its position that the introduction of the visa regime would not advance the development of partnership and friendly relations between the two neighbouring countries and presented to the Russian side a draft agreement on the visa-free movement of citizens between the two countries.

The negotiation agenda had included the discussions on the draft agreements prepared by the sides on the movement of citizens between the two countries.

The Georgian side gave positive consideration to the proposal of the Russian side not to include the Chechen segment of the border into the draft Protocol on Simplified Border Crossing by the Residents of the Near-Border Territories and made a similar request to the Russian side regarding the Abkhazia and Tskhinvali region. Taking the aforesaid into account, the Georgian side offered to the Russian side to apply the draft Protocol to the only existing border crossing point (at Kazbegi-Zemo Larsi) between Russia and Georgia.

The Russian side refused to give further substantive consideration to the proposals made by the Georgian side, demonstrating a clearly destructive position, and made a decision to introduce the visa regime unilaterally.

According to the statement of the official representative of the Ministry of Foreign Affairs of Russia, as from 14 November 2000, regarding the introduction of the visa regime with Georgia, the Russian Federation, out of humanitarian considerations, reserves the right to take additional unilateral actions, mindful of the interests of the residents of the near-border territories.

The Ministry of Foreign Affairs of Georgia is authorized to declare that the unilateral action on behalf of Russia, introducing the simplified border crossing on the segments of the Abkhazia/Tskhinvali region or on any other part of the Georgian-Russian State border, violates such universally recognized principles of international law as non-interference in the internal affairs of sovereign States, sovereign equality and the inviolability of borders.

Clearly discriminative actions on behalf of Russia, carried out only against Georgia within the Commonwealth of Independent States, call into question Russia's role as an unbiased mediator in the conflict resolution process and undermine the agreements already achieved regarding the utilization of some elements of the remaining infrastructure of the Guaduta military base after its removal.

"Humanitarian considerations" of the interests of residents of the near-border territories, offered as an argument by Russia, do not hold as a justification for the violation of universally recognized principles and norms of international law and other international obligations.

Georgia, as a sovereign State, reserves the right to employ all relevant norms of international law in response to any of the unilateral actions taken by the Russian side.

The unilateral decision by the Russian Federation to introduce the visa regime will, naturally, create difficulties not only for the Georgian nationals residing in Russia, but also for the Russian citizens temporarily living in Georgia, including the military personnel and their families. The approach of the Government of Georgia towards this category of Russian citizens will be determined by the treatment the Georgian nationals residing in Russia will receive from the Russian Federation.

In addition, the Ministry of Foreign Affairs of Georgia reminds the Russian side that, pursuant to the Agreement between the Government of the Republic of Georgia and the Russian Federation on the Customs Border-Crossing Point, as from 8 October 1993, Kazbegi-Zemo Larsi is the only legally functioning border-crossing point between the two countries. Foreign nationals who enter Georgia via different directions are considered by the Criminal Code of Georgia as illegal trespassers and are subject to criminal liability.

The Ministry of Foreign Affairs of Georgia regards the statement of the official representative of the Ministry of Foreign Affairs of the Russian Federation as destructive and calls upon the Russian side to give full consideration to the gravity of the potential consequences of the actions of the Russian side, referred to in the statement.

The Georgian side hopes that the international community will take a firm position and will unequivocally uphold the principles and norms of international law.

Tbilisi, 17 November 2000.

United Nations S/2000/1123

Security Council

Distr.: General
27 November 2000

Original: English

Letter dated 27 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations addressed to the President of the Security Council

I have the honour to forward a letter dated 27 November 2000 from Vojislav Kostunica, President of the Federal Republic of Yugoslavia, relative to the deteriorating situation in the Presevo Valley in the ground safety zone in the Yugoslav constituent Republic of Serbia, addressed to you (see annex).

I should be grateful if you would have the present letter and its enclosure circulated as a document of the Security Council.

(*Signed*) Vladislav **Mladenovic**
Chargé d'affaires a.i.

00-76373 (E) 271100

Annex to the letter dated 27 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations addressed to the President of the Security Council

It is with regret and grave concern that I have to warn you of the deteriorating situation in the Presevo valley in the ground security zone inside Serbia proper. Despite their commitments stemming from Security Council resolution 1244 (1999) and the Military-Technical Agreement, KFOR and the United Nations Interim Administration Mission in Kosovo (UNMIK) have allowed the crossing of large groups of armed Albanian paramilitaries into the zone, which has forced lightly armed local police to leave their checkpoints. I would like to request you to do your utmost to prevent new incidents and eliminate the fear that has overwhelmed the population in the area.

Only if the United Nations civilian and security presences fulfil their mandate in its entirety, in line with both resolution 1244 and the Military-Technical Agreement, will the situation in Kosovo be stabilized and violence curbed so that it no longer spills over into the south of Serbia. There is no doubt that KFOR and UNMIK can do so if they wish.

It is more than obvious now that the process of democratization in the Federal Republic of Yugoslavia and the victory of moderate forces in the municipal election in Kosovo, although its major flaw is the fact that the Serbs did not take part in it, is disturbing for extremists. This makes the security situation in the region even more difficult, and prevents the return of 226,000 non-Albanian, mostly Serb internally displaced persons. I cannot believe that the international community will allow the situation to develop in such an unfavourable direction, particularly given the fact that such an attitude would threaten the security of the region as a whole.

I hope that the Security Council will react promptly to address this situation. I can assure you that the Federal Republic of Yugoslavia will strictly abide by its obligations stemming from the above-mentioned documents, but it also has the right and obligation to protect the security of its citizens. Our police and military will not enter the ground security zone in order to fight the terrorists, but viable conditions for the return of local police to the zone must be created as soon as possible, which is where KFOR's main responsibility lies.

I hope that I can rely on you in this matter.

(*Signed*) Vojislav **Kostunica**
President of the Federal Republic of Yugoslavia

United Nations S/2000/1124

Security Council

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27 November 2000

Original: English

Draft resolution

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 17 November 2000 (S/2000/1103), and also reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 2001;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

00-76550 (E) 271100

United Nations S/2000/1125

Security Council

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27 November 2000

Original: English

Letter dated 27 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Indonesia to the United Nations addressed to the President of the Security Council

Upon instructions of my Government, I have the honour to request that the attached document, entitled "The visit of the mission of the Security Council to Indonesia: Indonesia's constructive response to Security Council resolution 1319 (2000)", issued by the Department of Foreign Affairs of the Republic of Indonesia (see annex), be circulated as an official document of the Security Council.

(*Signed*) Makmur **Widodo**
Chargé d'affaires a.i.
Deputy Permanent Representative

00-76428 (E) 281100

Annex to the letter dated 27 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Indonesia to the United Nations addressed to the President of the Security Council

The visit of the mission of the Security Council to Indonesia: Indonesia's constructive response to Security Council resolution 1319 (2000)

I. Introduction

1. The visit by the mission of the Security Council at the invitation of the Government of Indonesia affords the former with the opportunity to witness first-hand the important strides which have been made by Indonesia in responding to Security Council resolution 1319 (2000). Just as important, and in the wider context, it offers the potential for the Council to better appreciate the multitude of residual issues which Indonesia has faced in the aftermath of the transfer of authority over East Timor — issues which have been diligently and assiduously addressed by the Government of Indonesia, not least the question of East Timorese refugees in West Timor.

2. Furthermore, the visit should also highlight the fact that contrary to recent dispositions and suggestions by some quarters, the hurdles and challenges which are likely to be faced by East Timor during its transition towards independence, cannot forever be conveniently directed at Indonesia. A year since the transfer of authority, a year since the United Nations Transitional Administration in East Timor (UNTAET) was established by the Security Council endowed with overall responsibility for the administration of East Timor and empowered to exercise all legislative and executive authority, including the administration of justice, a year of the very best of intentions, goodwill and support on the part of the international community, not least Indonesia, to ensure a smooth transition process in East Timor, all these could not obscure the fact that in the final analysis, it is for the people of East Timor themselves to overcome the challenges they are likely to face during the transition towards independence.

3. The invitation by the Government of Indonesia to the Security Council is consistent with its demonstrated determination to maintain an open line of communication with the United Nations. It follows the briefing by the Special Envoy of the President of the Republic of Indonesia, Coordinating Minister for Political, Social and Security Affairs, H.E. Susilo Bambang Yudhoyono, to the Security Council on 19 September 2000 and the similar briefing given by the Minister of Foreign Affairs, H.E. Dr. Alwi Shihab, on 12 October 2000. Over the course of its visit to Indonesia, the Security Council mission is expected to be enlightened, inter alia, on the following major issues:

- A lasting and comprehensive solution of the question of East Timorese refugees in West Timor;
- The investigation of the Atambua incident and bringing the perpetrators to justice;
- Disarming of the so-called militia;
- Reconciliation among East Timorese.

II. Lasting and comprehensive solution of the question of East Timorese refugees in West Timor

4. For the Government and people of Indonesia, no other issue better illustrates their continued stake in seeing a smooth transition process in East Timor than the question of East Timorese refugees in West Timor. In the confusion that reigned in the days and weeks following the popular consultations, some 250,000 East Timorese sought refuge across the border to the neighbouring province of East Nusa Tenggara. Some also fled to the nearby islands.

5. Their motivation was simple: nothing less than their personal safety and security. The Government and people of Indonesia were not found wanting. Despite resource constraints, particularly in the less than richly endowed province of East Nusa Tenggara, hundreds of thousands of refugees were provided temporary shelter and living sustenance at 13 locations in five of the province's regencies. Within a period of three weeks, almost all the incoming East Timorese were accommodated in temporary shelter, tents and public buildings. Clean water, sanitation, food and medicine were distributed. The assistance of international agencies — the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP) and the United Nations Children's Fund (UNICEF) — during this state of emergency was important. **During the period January 1999-March 2000, the Government channelled some 225,722,457,843 rupiahs in humanitarian assistance**, inter alia, in the form of food and medicine, health services, education, shelter and sanitation. The local NGOs also played an invaluable role in providing assistance to the needy.

6. **Over the past year, some 108,043 of the refugees (21,247 family units) have returned to East Timor**. Of these, some 10,515 returned using air transportation, 30,851 by sea and 68,751 by land. Clearly, this is indicative of the close cooperation between the Government of Indonesia and UNHCR.

7. Meanwhile, during fiscal year 1999/2000, some 3,108 persons (647 family units) who wish to remain in Indonesia have been resettled. During 2000, some 4,529 family units are planned to be resettled. The resettlement of the displaced persons within East Nusa Tenggara is the responsibility of the Department of Settlements and Regional Infrastructure. Resettlement of displaced persons intending to relocate to other islands/provinces in Indonesia is the task of the State Ministry for Manpower and Transmigration. For those who choose to go to other provinces, their resettlement programme is integrated with ongoing village development programmes and transmigration programmes, that have various economic-based activities, such as intensification of food crops, fisheries and home industries.

8. **As of September 2000, some 157,585 (31,517 family units) are still living at temporary West Timor refugee camps.** However, this number is inherently dynamic. Increases and reductions have been noted corresponding to changing conditions. Those who have returned to East Timor have on occasion decided to return temporarily to the camps upon discovering that their belongings have disappeared or their homes occupied and/or if they perceive a lack of security.

9. Clearly, the registration of the remaining East Timorese refugees is vital. Through accurate registration, the number of those East Timorese who wish to return to East Timor and those who intend to remain in Indonesia will be known.

Indeed, the Government of Indonesia carried out such registration in March 2000. However, UNHCR deemed the sample too small to be representative. Meanwhile, UNHCR's own registration effort was rejected by the refugees themselves.

10. **In view of the above, the Government of Indonesia intends to work closely with the relevant agencies, including UNHCR and the International Organization for Migration (IOM), to urgently prepare the registration of the refugees.** An important aspect of such registration would be its dissemination among the refugees; the affected families will need to be given careful and complete explanations of their rights and obligations, whether they choose to be repatriated to East Timor or to remain in Indonesia. The implementation of the repatriation or relocation programmes shall be based on the principle of free choice. All the arrangements shall be based on the non-discriminatory principle that there shall not be any discrimination on the allocation of assistance to those who choose to repatriate to East Timor or those who decide to remain in Indonesia.

11. Pending such a registration process and since the departure of UNHCR from West Timor in the wake of the incident on 6 September 2000, the Government of Indonesia has facilitated the spontaneous return of hundreds of refugees to East Timor. In facilitating this outcome, the Government of Indonesia, specifically the Task Force for the Settlement of the issue of East Timorese Refugees in East Timor (PMP) and the Indonesia Military Forces (TNI), have worked closely with the United Nations Peacekeeping Force (UNPKF) and United Nations Military Observers (UNMOs). Some may note that their active and direct involvement at the various border crossing points in assisting this return is in sharp contrast to the less than accommodating and pragmatic position shown by some UNHCR staff. It is noted, for example, that UNHCR has declined even to acknowledge such spontaneous refugee returns despite the fact that this would be invaluable in assisting family reunions and in channelling aid to the refugees upon their arrival back in East Timor. In the final analysis, inaction is not an option. The needs of the refugees must be considered paramount and must precede any national or even organizational interests.

12. The Government of Indonesia has in addition continued preparation for the return of former "Milsas" (East Timorese who fought for integration in 1975 and who were subsequently accorded status as TNI members) to East Timor. The implementation of this programme is expected to further encourage the return of refugees to East Timor.

13. A comprehensive and expeditious settlement of the question of East Timorese refugees is urgent. The social, financial, political, security and above all humanitarian ramifications of such a settlement could hardly be exaggerated. The Government of Indonesia enjoins the mission of the Security Council to recognize that the responsibility to comprehensively resolve this issue is a shared one. The need for adequate financial support is abundantly clear and the Government of Indonesia welcomes the expressed commitments of many to contribute.

14. But more is needed. In this regard, a readiness to recognize the multidimensional nature of the refugee issues is central; indeed, we must broaden our horizon by taking cognizance of the fact an early and comprehensive resolution of this issue cannot be divorced from developments in East Timor itself. Personal security, safety, welfare and liberty — these are some of the concerns that resonate

among the refugees. The Government of Indonesia for its part is determined to ensure that these issues are accorded the attention that they deserve.

III. The investigation of the Atambua incident, and bringing the perpetrators to justice

15. The Government of Indonesia reiterates its commitment to bringing to justice those suspected of involvement in the violence perpetrated in Atambua on 6 September 2000. The wheels of justice are in motion. To date and based on the testimony of witnesses, police have arrested the following individuals as suspects in the killing of the three UNHCR humanitarian workers:

1. Xisto Pareira.
2. Julius Naisama.
3. Joao Martins.
4. Jose Francisco.
5. Joao Alves da Crus.
6. Seravin Ximenes.

Two other suspects are still being sought. Also, as part of the investigation, police have twice (on 8 and 9 October 2000) re-enacted the events of 6 September 2000. The dossier of the case of the killing of the three UNHCR personnel has been submitted to the public prosecutor and on 3 November 2000 was confirmed as being complete. **The trial of the suspects is expected to commence in the first week of December 2000.**

16. Consistent also with Indonesia's determination to uphold the rule of law, legal proceedings are continuing against Mr. Eurico Guterres, who was arrested on 4 October 2000 on charges of inciting his followers to seize back weapons already surrendered on 24 September 2000. It is to be noted that on 23 October 2000, the South Jakarta District Court ruled in favour of the said person in a pre-trial hearing and ordered his release. The police, however, has submitted an appeal to the Supreme Court, and legal proceedings against Mr. Guterres for the events of 24 September 2000 are continuing. In connection with the latter, the dossier of the case against Mr. Guterres has been submitted to the Office of the Atambua District Attorney and he is currently being detained pending trial.

17. The Government of Indonesia is duty-bound to respect the independence and integrity of all these legal processes, including the ongoing investigations into serious human rights violations in East Timor. It will, however, continue to keep all concerned informed of these important legal processes.

IV. Disarming of the militia

18. Disarmament efforts continue to be sustained at an intense pace. Through a combination of persuasive as well as coercive actions, with an overriding concern to ensure the safety of innocent refugees and civilians, thousands of weapons, standard as well as home-assembled weapons, grenades/explosives and rounds of

ammunition, have been confiscated.[a] They are, therefore, effectively neutralized — no longer available as instruments to intimidate, to maim and indeed to kill. As a result and combined with the added deployment of three armed forces battalions and two police battalions, security conditions in the refugee camps have been markedly enhanced. Such conditions have been similarly felt among the wider local community in the vicinity of the refugee camps. All this has been achieved without provoking untoward incidents, which could easily have involved injuries and loss of lives among innocent civilians. This should be noted and, indeed, welcomed.

19. Related to the issue of security, through its visit the Security Council mission will find concrete evidence of Indonesia's constructive approach in dealing with border-related issues. Far from the image that is occasionally portrayed by some quarters, the reality on the ground is that of a close working relationship between TNI and UNPKF in dealing with border issues of common concern. This is, inter alia, reflected in the fortnightly Tactical Coordinating Working Group meetings between TNI and UNPKF. Indeed, in the wake of the Atambua incident, in particular the departure of UNHCR from West Timor, TNI and UNPKF/UNMO officers in the border area have worked closely to facilitate the spontaneous return of East Timorese refugees from West Timor to East Timor. Their determination, dedication, pragmatism and professionalism in addressing real issues on the ground involving the fate of individuals, families and communities should be recognized, and has set a high standard that should be emulated. Their cooperation in foiling apparent attempts by some elements to provoke border incidents, both from East Timor to West Timor as well as from West Timor to East Timor, cannot be overemphasized. Equally important have been their cooperation in addressing incidents of violence across or near the border area. As an illustration of the latter, on 8 November 2000, TNI formally handed over to UNPKF at Suai a C9 Minimi Light Machine gun No. FN. 036682 (NZD-AA-870682), belonging to the late Private Manning, which was captured from the alleged perpetrator.

20. The Government of Indonesia would like to invite the mission of the Security Council to recognize these facts and to encourage enhanced border cooperation. Within a short space of time, what had hitherto been internal, national provincial border has become international in nature, with all the political, legal, and not least social and humanitarian ramifications. Invariably, therefore, border issues need to be managed. The instrument and forum to that end has been established, namely the Joint Border Committee created by Indonesia and UNTAET on 14 September 2000. The Government of Indonesia is actively taking steps for the early convening of this forum.

V. Reconciliation among East Timorese

21. The Government of Indonesia is confident that through its visit to East Timor and by viewing first hand the problems faced by the East Timorese refugees in West Timor, the mission of the Security Council will be reinforced in its conviction about the importance of reconciliation among all East Timorese if the vision of a peaceful, stable, democratic and prosperous East Timor is to be realized. All well-intentioned efforts to overcome the many real challenges facing East Timor during its transition

[a] The figures as of 7 November 2000 are as follows: 91 standard firearms, 1,304 home-assembled firearms, 8,864 rounds of ammunition, 18 grenade launchers, and 47 explosives and hand grenades.

towards independence will be rendered meaningless without a renewed action aimed at an all-inclusive reconciliation among East Timorese.

22. This is a matter of priority for the Government of Indonesia. We believe it should likewise be the case for UNTAET. In Indonesia's view, reconciliation among East Timorese constitutes the heart of the matter. Indonesia will not tire in expounding this noble message. For it is vital that trust and mutual respect be fostered and past animosities and differences among various segments of East Timorese be resolved once and for all.

VI. Conclusion

23. The Government of Indonesia welcomes the visit by the mission of the Security Council as an expression of the existing positive line of communication with the United Nations. It is confident that through this visit, the Council will be able to witness at first hand the positive results of the many important steps Indonesia has taken in response to the incident of 6 September 2000. Likewise, the Council will be able to better appreciate the magnitude of the residual issues which arise as a result of the transfer of authority, in particular the question of East Timorese refugees in West Timor, issues which have seriously been addressed by the Government of Indonesia, in cooperation with UNTAET.

24. In its visit to Indonesia, the mission of the Security Council cannot possibly fail to recognize the reservoir of good will which exists among the people of Indonesia towards East Timor as it embarks on the important transition towards independence. These are not mere sentiments. The Government of Indonesia has, through concrete actions and deeds, left no stone unturned in ensuring a conducive atmosphere for East Timor during the transition phase and beyond, even when these severely test the bounds of existing national laws and regulations. Efforts to resolve the issue of East Timorese refugees are, by now, well recorded. Less may be known, however, about the tangible progress which has been made over the past year in talks over other residual issues. The restoration of East Timor's archives, including land records, cultural artefacts, scholarships for East Timorese students in Indonesian institutions of higher learning, the payment of pensions and other benefits for former civil servants, and many others — all these contribute to securing East Timor's future. Indonesia will continue to pursue such constructive policies not because of resolutions or statements but because they are right. A prosperous, peaceful, stable and democratic East Timor is in Indonesia's national interest. Geography dictates that Indonesia and East Timor are neighbours. There is a bond of history, ancestry and culture among our peoples. These realities have survived the millennia. And they will survive the next.

10 November 2000

Department of Foreign Affairs
Republic of Indonesia

United Nations S/2000/1126

Security Council

Distr.: General
28 November 2000

Original: English

Letter dated 27 November 2000 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a communiqué issued by the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia following the recent visit to Ethiopia of Abdikasim Hassan Salad, President of the Transitional Government in Somalia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Abdulmejid **Hussein**
Ambassador
Permanent Representative

00-76655 (E) 281100

Annex to the letter dated 27 November 2000 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council

Communiqué

The President of the Transitional Government in Somalia, established following the Arta Conference in Djibouti, President Abdikasim Hassan Salad and his delegation paid a three-day visit to Ethiopia starting on 15 November 2000.

In the course of his visit the delegation held talks with Prime Minister Meles Zenawi and Foreign Minister Seyoum Mesfin.

During these talks Ethiopia affirmed that the Arta peace conference, which resulted in the establishment of the Transitional Government, constituted a major achievement in the Somali peace process.

Ethiopia recognizes that the peace process needs to be completed by bringing into the process the other Somali parties that did not participate at the Arta conference. The Ethiopian Government is encouraged that President Abdikasim and the Transitional Government in Somalia share this conviction.

During the discussions, it was affirmed by both sides that the peace process in Somalia should continue through dialogue and that only through dialogue can full national reconciliation be achieved.

The Ethiopian Government will continue to maintain contact with all parties in Somalia and to contribute further to the process of national reconciliation and unity.

The Ethiopian Government is encouraged by President Abdikasim Hassan Salad's assurance that the Transitional Government will do everything possible to remove all elements that use Somali territory as a springboard to threaten regional peace and stability and, in this regard, to cooperate with the concerned neighbouring countries.

The international community needs to support the rehabilitation and reconstruction of Somalia. Effective support could be rendered by direct assistance to the Transitional Government, as well as to the regions that have established peace and stability through self-administration.

United Nations S/2000/1127

Security Council

Distr.: General
28 November 2000

Original: English

Letter dated 27 November 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to refer to resolution 1171 (1998), adopted by the Security Council on 5 June 1998, concerning Sierra Leone. In paragraph 4 of the resolution, the Committee is required to report to the Council on notifications received from States on the export of arms and related materiel to Sierra Leone, as well as on notifications of imports of arms and related materiel made by the Government of Sierra Leone.

Accordingly, I wish to inform you that the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, received a notification on 22 November 2000, from the Government of the United Kingdom of Great Britain and Northern Ireland, for the export of the following military equipment for use in the Ghanaian contingent serving in the United Nations Mission in Sierra Leone (UNAMSIL): 1 Simrad LP7 laser rangefinder; 1 BC30 battery charger; and 5 pairs of Simrad binoculars. These items of equipment were shipped to Accra on 19 October 2000.

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

00-76699 (E) 281100

United Nations S/2000/1128

Security Council

Distr.: General
28 November 2000
English
Original: Arabic

Identical letters dated 27 November 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 26 November 2000 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 1 to 14 November 2000 they carried out 561 sorties, 285 of them from Saudi Arabia, 104 from Kuwait and 172 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He urges you to perform the duties assigned to you under the Charter by halting this unwarranted aggression and ensuring that it does not recur.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

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Annex to the identical letters dated 27 November 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq. They carried out 561 sorties in the period from 1 to 14 November 2000, 285 of them from Saudi Arabia, 104 from Kuwait and 172 from Turkey, as shown hereunder.

1. In the northern region 172 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1115 hours on 1 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 16 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Aqrah, Baibo, Irbil and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1405 hours, drove them off.

(b) At 1115 hours on 2 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 22 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Dohuk, Amadiyah, Tall Afar and Irbil areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1420 hours, drove them off.

(c) At 1100 hours on 5 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Irbil, Tall Afar, Aqrah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1430 hours, drove them off.

(d) At 1115 hours on 6 November 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Irbil, Dohuk, Tall Afar and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1420 hours, drove them off.

(e) At 1200 hours on 7 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Irbil, Tall Afar, Aqrah, Rawanduz, Sinjar, Dokan, Zakho and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft an l, at 1500 hours, drove them off.

(f) At 1115 hours on 8 November 2000, United States and British F-15, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 16 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Aqrah, Ayn Zalah, Mosul, Tall Afar, Zakho and Irbil areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1345 hours, drove them off.

(g) At 1115 hours on 9 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Aqrah, Rawanduz and Irbil areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1420 hours, drove them off.

(h) At 1030 hours on 13 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 24 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Aqrah, Zakho and Baibo areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1305 hours, drove them off.

(i) At 1045 hours on 14 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 20 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Mosul, Tall Afar, Zakho and Irbil areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1420 hours, drove them off.

2. In the southern region 389 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 0925 hours on 1 November 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 48 missions, 42 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Nasiriyah, Salman, Samawah, Ashbajah, Diwaniyah, Amarah, Shatrah, Salman, Najaf, Afak and Nukhayb areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1250 hours, drove them off.

(b) At 0850 hours on 2 November 2000, United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 48 missions, 32 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 16 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Salman, Basrah, Najaf, Babil, Kut,

Nu`maniyah, Razzazah, Rahhaliyah and Nukhayb areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1715 hours, drove them off.

(c) At 0850 hours on 3 November 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 40 missions, 28 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 12 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Amarah, Nasiriyah, Samawah, Ukhaydir, Salman, Lasaf, Nukhayb, Rahhaliyah, Razzazah, Najaf and Jalibah areas and the area south of kilometre 160. Our air defences, acting in self-defence, engaged the aircraft and, at 1105 hours, drove them off.

(d) At 1130 hours on 4 November 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 10 missions, eight of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and two from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Nasiriyah, Shatrah, Salman, Lasaf and Rifa`i areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1230 hours, drove them off.

(e) At 1220 hours on 5 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Saudi territory penetrated Iraq's airspace in the southern region. They carried out 24 missions, 22 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and two from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Artawi, Salman, Lasaf, Shinafiyah, Diwaniyah, Nu`maniyah, Najaf, Samawah, Kut, Ma`aniyah and Afak areas, an area 25 kilometres east of Nukhayb and an area 25 kilometres east of Busayyah. Our air defences, acting in self-defence, engaged the aircraft and, at 1430 hours, drove them off.

(f) At 0950 hours on 6 November 2000, United States and British F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 28 missions, 18 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 10 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Basrah, Samawah, Salman, Amarah, Najaf, Kut and Karbala' areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1315 hours, drove them off.

(g) At 1328 hours on 7 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 32 missions, 28 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Amarah, Basrah, Rahhaliyah, Razzazah, Qurnah, Najaf, Nukhayb, Taqtaqanah, Afak, Hayy, Ukhaydir and Ar`ar areas and an area

south of kilometre 160. Our air defences, acting in self-defence, engaged the aircraft and, at 1545 hours, drove them off.

(h) At 2000 hours on 8 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 12 missions, four of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Amarah, Basrah, Qurnah, Afak, Hayy, Rumaythah, Salman, Qal'at Sukkar, Diwaniyah, Shinafiyah and Nasiriyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 2145 hours, drove them off.

(i) At 1115 hours on 9 November 2000, United States and British F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 36 missions, 28 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Amarah, Najaf, Ukhaydir, Salman, Diwaniyah, Kut, Samawah and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1420 hours, drove them off.

(j) At 0915 hours on 10 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 30 missions, 26 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Amarah, Najaf, Nukhayb, Kut, Diwaniyah, Hashimiyah, Qal'at Salih and Nasiriyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1150 hours, drove them off.

(k) At 0920 hours on 11 November 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 32 missions, 18 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Amarah, Basrah, Rahhaliyah, Razzazah, Najaf, Taqtaqanah, Nasiriyah, Hayy, Ukhaydir, Diwaniyah, Kut, Hillah, Ali al-Gharbi and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1305 hours, drove them off.

(l) At 0825 hours on 13 November 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 36 missions, 20 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 16 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Basrah, Najaf, Taqtaqanah, Hayy, Ukhaydir,

Ashjabah, Lasaf, Shatrah, Rifa'i, Mashkhab and Diwaniyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1645 hours, drove them off.

(m) At 1300 hours on 14 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 13 missions, 11 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and two from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Jalibah and Ashbajah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1445 hours, drove them off.

This aggression illustrates the bellicose attitude being maintained by the United States of America and the United Kingdom towards Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials seeking to defend the measures being taken to enforce the no-flight zones.

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States of America and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these countries in an attempt to justify their military aggression against our country.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes these countries key partners in the aggression being committed against Iraq, so that they bear full international responsibility under international law. This includes liability for full compensation for the loss and damage, in both human and material terms, that is caused by these illegal practices.

The Government of Iraq further renews its call to the countries participating in this aggression to desist forthwith from internationally prohibited acts that violate Iraq's sovereignty, place its security and integrity in grave danger and pose a direct and serious threat to international peace and security.

The Government of Iraq, condemning these acts of aggression against civilian targets and Iraqi civilian installations, urges you to perform your assigned duties with respect to the maintenance of international peace and security by intervening with the governments of the countries in question with a view to inducing them to halt, end and desist from any resumption of their constant and unwarranted aggression against an independent, sovereign State.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

United Nations A/ES-10/48–S/2000/1129

General Assembly
Security Council

Distr.: General
28 November 2000

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-fifth year

Identical letters dated 28 November 2000 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Israeli military campaign of terror and repression against the Palestinian people has continued daily with the killing and injuring of more Palestinian civilians. On 26 November 2000, Israeli occupying forces shot and killed five Palestinian civilians who were together near the city of Qalqilya at approximately 8 p.m. This collective killing adds to a pattern of Israeli behaviour tending to escalate the already dangerous situation on the ground whenever it appears to be calming down.

In follow-up to my previous letters to you, dated 29 September through 24 November 2000 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116), I regret to inform you that since my last letter to you and as of yesterday, 27 November 2000, 19 more Palestinians have been killed, which brings the total number of deaths to 250 Palestinians. (The names of the 19 martyrs are annexed.) Scores of Palestinian civilians were also injured during the same period.

I also want to refer to the letter of 22 November 2000 from the Israeli Permanent Representative to the United Nations to the Secretary-General regarding the car bomb that was detonated in Israel on the same day (A/55/641-S/2000/1114). That letter erroneously held the Palestinian Authority responsible for this act. We believe that the Israeli Government must stop making such irresponsible and dangerous accusations and claims. In turn, we once more call upon the international community to press Mr. Ehud Barak and his Government to cease their bloody campaign of terror against the Palestinian people.

On the urgent issue of providing protection for Palestinian civilians, it is worth noting that Israel, the occupying Power, has rebuffed all efforts, including those of the Secretary-General, to ensure positive positions in advance. Such an irresponsible

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and intransigent attitude by the occupying Power makes it imperative for the Security Council at this stage to proceed with the necessary action for the establishment of a United Nations monitoring force for the Occupied Palestinian Territory, including Jerusalem. The Council cannot accept to be held hostage by the illegal wishes and intransigence of the occupying Power while the situation on the ground continues to require immediate action. It should be noted as well that the United Nations High Commissioner for Human Rights, Mary Robinson, stressed the need for "an international protection or some international monitoring presence" following her recent visit to the Occupied Palestinian Territory. The authoritative voice of the High Commissioner must be seriously taken into consideration by the Security Council.

In response to calls for a United Nations monitoring force, the Israeli side has repeatedly asserted that the Palestinian side is trying to internationalize the conflict. Such a claim is ludicrous since by its very nature the conflict has always been international. The United Nations, since its inception, has never ceased dealing with the question of Palestine and the many developments in this regard over the years, including the Israeli occupation in 1967 of Arab territories. The establishment of a United Nations monitoring force could only help in ending the recent tragic events and restoring calm, thus allowing the parties to resume their peace efforts. The opposite is inconceivable. At this point in time, we hope that the Security Council will take action before even more casualties fall and more destruction occurs.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters from the Permanent Observer of Palestine addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli security forces in the Occupied Palestinian Territory including Jerusalem (Friday, 24 November through Monday, 27 November 2000)

Friday, 24 November 2000

1. Firas Diab Abu Hatab
2. Mohammed Abed (17 years old)
3. Ghassan Majid Musalam Qaraan
4. Eissr Mahmoud Khalil Hasees
5. Ziad Khalil Abu Jazar
6. Sami Adel Al-Sayel
7. Nahid Adel Al-Sayel (brother of Sami Adel Al-Sayel)

Saturday, 25 November 2000

1. Fuad Hammad Dewekat
2. Amjed Azmi Mohammed
3. Abdel Muneim Izz El-Dean (18 years old)
4. Tayseer Abu Arraj

Sunday, 26 November 2000

1. As'ad Khalil Al-Sharnouby (from wounds sustained on 20 November)
2. Mahmoud Ahmed Al-Adel
3. Mohammed Mansour Edwan
4. Ziad Ghaleb Selmy
5. Qusai Faisal Tawfiq Zahran
6. Mahdi Kassem Jabr (18 years old)

Monday, 27 November 2000

1. Walid Al-Jaafrah
2. Zakaria Hamouda Al-Khoury (18 years old)

United Nations S/2000/1130

Security Council

Distr.: General
29 November 2000

Original: English

Letter dated 27 November 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Mozambique to the United Nations addressed to the President of the Security Council

In its capacity as President of the Community of Portuguese Speaking Countries, Mozambique has the honour to request that an invitation be extended to Dulce Maria Pereira, Executive Secretary of the Community of Portuguese Speaking Countries, in accordance with rule 39 of the Security Council's provisional rules of procedure, in connection with the Council's meeting on the situation in Guinea-Bissau, which is scheduled to take place on 29 November 2000.

(*Signed*) César Gouveia
Chargé d'affaires a.i.

00-77260 (E) 291100

United Nations S/2000/1131

Security Council

Distr.: General
30 November 2000

Original: English

Draft resolution

The Security Council,

Reaffirming its resolutions 827 (1993) of 25 May 1993 and 995 (1994) of 8 November 1994,

Remaining convinced that the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia contributes to the restoration and maintenance of peace in the former Yugoslavia,

Remaining convinced also that in the particular circumstances of Rwanda the prosecution of persons responsible for genocide and other serious violations of international humanitarian law contributes to the process of national reconciliation and to the restoration and maintenance of peace in Rwanda and in the region,

Having considered the letter from the Secretary-General to the President of the Security Council dated 7 September 2000 (S/2000/865) and the annexed letters from the President of the International Tribunal for the Former Yugoslavia addressed to the Secretary-General dated 12 May 2000 and from the President of the International Tribunal for Rwanda dated 14 June 2000,

Convinced of the need to establish a pool of ad litem judges in the International Tribunal for the Former Yugoslavia and to increase the number of judges in the Appeals Chambers of the International Tribunals in order to enable the International Tribunals to expedite the conclusion of their work at the earliest possible date,

Noting the significant progress being made in improving the procedures of the International Tribunals, and convinced of the need for their organs to continue their efforts to further such progress,

Taking note of the position expressed by the International Tribunals that civilian, military and paramilitary leaders should be tried before them in preference to minor actors,

Recalling that the International Tribunals and national courts have concurrent jurisdiction to prosecute persons for serious violations of international humanitarian law, and noting that the Rules of Procedure and Evidence of the International Tribunal for the Former Yugoslavia provide that a Trial Chamber may decide to suspend an indictment to allow for a national court to deal with a particular case,

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Taking note with appreciation of the efforts of the judges of the International Tribunal for the Former Yugoslavia, as reflected in annex I to the letter from the Secretary-General of 7 September 2000, to allow competent organs of the United Nations to begin to form a relatively exact idea of the length of the mandate of the Tribunal,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish a pool of ad litem judges in the International Tribunal for the Former Yugoslavia and to enlarge the membership of the Appeals Chambers of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda, and to this end *decides* to amend articles 12, 13 and 14 of the Statute of the International Tribunal for the Former Yugoslavia and to replace those articles with the provisions set out in annex I to this resolution and *decides also* to amend articles 11, 12 and 13 of the Statute of the International Tribunal for Rwanda and to replace those articles with the provisions set out in annex II to this resolution;

2. *Decides* that two additional judges shall be elected as soon as possible as judges of the International Tribunal for Rwanda and *decides also*, without prejudice to Article 12, paragraph 4, of the Statute of that Tribunal, that, once elected, they shall serve until the date of the expiry of the terms of office of the existing judges, and that for the purpose of that election the Security Council shall, notwithstanding Article 12, paragraph 2 (c) of the Statute, establish a list from the nominations received of not less than four and not more than six candidates;

3. *Decides* that, once two judges have been elected in accordance with paragraph 2 above and have taken up office, the President of the International Tribunal for Rwanda shall, in accordance with Article 13, paragraph 3, of the Statute of the International Tribunal for Rwanda and Article 14, paragraph 4, of the Statute of the International Tribunal for the Former Yugoslavia, take the necessary steps as soon as is practicable to assign two of the judges elected or appointed in accordance with Article 12 of the Statute of the International Tribunal for Rwanda to be members of the Appeals Chambers of the International Tribunals;

4. *Requests* the Secretary-General to make practical arrangements for the elections mentioned in paragraph 2 above, for the election as soon as possible of twenty-seven ad litem judges in accordance with Article 13 ter of the Statute of the International Tribunal for the Former Yugoslavia, and for the timely provision to the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda of personnel and facilities, in particular, for the ad litem judges and the Appeals Chambers and related offices of the Prosecutor, and *further requests* him to keep the Security Council closely informed of progress in this regard;

5. *Urges* all States to cooperate fully with the International Tribunals and their organs in accordance with their obligations under resolutions 827 (1993) and 955 (1994) and the Statutes of the International Tribunals, and *welcomes* the cooperation already extended to the Tribunals in the fulfilment of their mandates;

6. *Requests* the Secretary-General to submit to the Security Council, as soon as possible, a report containing an assessment and proposals regarding the date ending the temporal jurisdiction of the International Tribunal for the Former Yugoslavia;

7. *Decides* to remain actively seized of the matter.

Annex I

Article 12
Composition of the Chambers

1. The Chambers shall be composed of *sixteen* **permanent** independent judges, no two of whom may be nationals of the same State, **and a maximum at any one time of nine ad litem independent judges appointed in accordance with article 13 ter, paragraph 2, of the Statute, no two of whom may be nationals of the same State**.

2. Three permanent judges and a maximum at any one time of six ad litem judges shall be members of each Trial Chamber. Each Trial Chamber to which ad litem judges are assigned may be divided into sections of three judges each, composed of both permanent and ad litem judges. A section of a Trial Chamber shall have the same powers and responsibilities as a Trial Chamber under the Statute and shall render judgement in accordance with the same rules.

3. *Seven of the permanent judges shall be members of the Appeals Chamber. The Appeals Chamber shall, for each appeal, be composed of five of its members.*

Article 13
Qualifications of judges

The **permanent** and **ad litem** judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers and sections of the Trial Chambers, due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

Article 13 bis
Election of permanent judges

1. *Fourteen of* the **permanent** judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in article 13 of the Statute, no two of whom shall be of the same nationality *and neither of whom shall be of the same nationality as any judge who is a member of the Appeals Chamber and who was elected or appointed a judge of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between*

1 January 1994 and 31 December 1994 (hereinafter referred to as "The International Tribunal for Rwanda") in accordance with article 12 of the Statute of that Tribunal;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than twenty-eight and not more than forty-two candidates, taking due account of the adequate representation of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect fourteen permanent judges of the International Tribunal. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters, shall be declared elected. Should two candidates of the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

2. In the event of a vacancy in the Chambers **amongst the permanent judges** *elected or appointed in accordance with this article*, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the Statute, for the remainder of the term of office concerned.

3. The **permanent** judges *elected in accordance with this article* shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Court of Justice. They shall be eligible for re-election.

Article 13 ter
Election and appointment of ad litem judges

1. The ad litem judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for ad litem judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to four candidates meeting the qualifications set out in article 13 of the Statute, taking into account the importance of a fair representation of female and male candidates;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than fifty-four candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect the twenty-seven ad litem judges of the International Tribunal. The candidates

who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected;

(e) The ad litem judges shall be elected for a term of four years. They shall not be eligible for re-election.

2. During their term, ad litem judges will be appointed by the Secretary-General, upon request of the President of the International Tribunal, to serve in the Trial Chambers for one or more trials, for a cumulative period of up to, but not including, three years. When requesting the appointment of any particular ad litem judge, the President of the International Tribunal shall bear in mind the criteria set out in article 13 of the Statute regarding the composition of the Chambers and sections of the Trial Chambers, the considerations set out in paragraphs 1 (b) and (c) above and the number of votes the ad litem judge received in the General Assembly.

Article 13 quater
Status of ad litem judges

1. During the period in which they are appointed to serve in the International Tribunal, ad litem judges shall:

(a) Benefit from the same terms and conditions of service mutatis mutandis as the permanent judges of the International Tribunal;

(b) Enjoy, subject to paragraph 2 below, the same powers as the permanent judges of the International Tribunal;

(c) Enjoy the privileges and immunities, exemptions and facilities of a judge of the International Tribunal.

2. During the period in which they are appointed to serve in the International Tribunal, ad litem judges shall not:

(a) Be eligible for election as, or to vote in the election of, the President of the Tribunal or the Presiding Judge of a Trial Chamber pursuant to article 14 of the Statute;

(b) Have power:

(i) To adopt rules of procedure and evidence pursuant to article 15 of the Statute. They shall, however, be consulted before the adoption of those rules;

(ii) To review an indictment pursuant to article 19 of the Statute;

(iii) To consult with the President in relation to the assignment of judges pursuant to article 14 of the Statute or in relation to a pardon or commutation of sentence pursuant to article 28 of the Statute;

(iv) To adjudicate in pre-trial proceedings.

Article 14
Officers and members of the Chambers

1. The *permanent* judges of the International Tribunal shall elect a President *from amongst their number*.

2. The President of the International Tribunal shall be a member of the Appeals Chamber and shall preside over its proceedings.

3. After consultation with the *permanent* judges of the International Tribunal, the President shall assign *four of the permanent* judges *elected or appointed in accordance with Article 13 bis of the Statute* to the Appeals Chamber and *nine* to the Trial Chambers.

4. *Two of the judges elected or appointed in accordance with article 12 of the Statute of the International Tribunal for Rwanda shall be assigned by the President of that Tribunal, in consultation with the President of the International Tribunal, to be members of the Appeals Chamber and permanent judges of the International Tribunal.*

5. *After consultation with the permanent judges of the International Tribunal, the President shall assign such ad litem judges as may from time to time be appointed to serve in the International Tribunal to the Trial Chambers.*

6. A judge shall serve only in the Chamber to which he or she was assigned.

7. The *permanent* judges of each Trial Chamber shall elect a Presiding Judge *from amongst their number*, who shall *oversee the work* of the Trial Chamber as a whole.

Annex II

Article 11
Composition of the Chambers

The Chambers shall be composed of *sixteen* independent judges, no two of whom may be nationals of the same State, who shall serve as follows:

(a) Three judges shall serve in each of the Trial Chambers;

(b) *Seven judges shall be members of* the Appeals Chamber. *The Appeals Chamber shall, for each appeal, be composed of five of its members.*

Article 12
Qualification and election of judges

1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

2. *Eleven of* the judges of the International Tribunal for Rwanda shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for judges from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within *sixty* days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in paragraph 1 above, no two of whom shall be of the same nationality and neither of whom shall be of the same nationality as any judge *who is a member of* the Appeals Chamber *and who was elected or appointed a permanent judge of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (hereinafter referred to as "the International Tribunal for the Former Yugoslavia") in accordance with article 13 bis of the Statute of that Tribunal*;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than *twenty-two* and not more than *thirty-three* candidates, taking due account of the adequate representation on the International Tribunal for Rwanda of the principal legal systems of the world;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect *eleven* judges of the International Tribunal for Rwanda. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters, shall be declared elected. Should two candidates of

the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

3. In the event of a vacancy in the Chambers *amongst the judges elected or appointed in accordance with this article*, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of paragraph 1 above, for the remainder of the term of office concerned.

4. The judges *elected in accordance with this article* shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Tribunal for the Former Yugoslavia. They shall be eligible for re-election.

Article 13
Officers and members of the Chambers

1. The judges of the International Tribunal for Rwanda shall elect a President.

2. *The President of the International Tribunal for Rwanda shall be a member of one of its Trial Chambers.*

3. After consultation with the judges of the International Tribunal for Rwanda, the President shall assign *two of the judges elected or appointed in accordance with Article 12 of the present Statute to be members of the Appeals Chamber of the International Tribunal for the Former Yugoslavia and eight to* the Trial Chambers *of the International Tribunal for Rwanda.* A judge shall serve only in the Chamber to which he or she was assigned.

4. *The members of the Appeals Chamber of the International Tribunal for the Former Yugoslavia shall also serve as the members of the Appeals Chamber of the International Tribunal for Rwanda.*

5. The judges of each Trial Chamber shall elect a Presiding Judge, who shall conduct all of the proceedings of that Trial Chamber as a whole.